

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:09-cv-208-RJC-DSC**

JIMMY DIXON,
Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,
Defendant.

ORDER

Defendant's Unopposed Motion for Entry of Judgment Under Sentence Four of 42 U.S.C. § 405(g) With Reversal and Remand of the Cause to the Defendant (Doc. No. 9) is **GRANTED**. The Court orders that, upon remand, the Appeals Council will direct the administrative law judge to consider the opinion of Dr. Milan; consider specifically carpal-tunnel syndrome; consider further symptoms; state specifically whether Plaintiff has impairment(s) that could be expected to produce the symptoms alleged; and direct another consultative examination.

Therefore, this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292, 296-97 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 97-98 (1991). The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Signed: January 6, 2010



Robert J. Conrad, Jr.
Chief United States District Judge

